

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NELSON TRAVIS ALEXANDER,

Defendant.

**CR-13-56-GF-BMM-01**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on September 20, 2017. (Doc. 83.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a final revocation hearing on September 19, 2017. (Doc. 79.) Alexander admitted that he violated the conditions of his supervised release. (Doc. 83 at 1.) Alexander violated the conditions of his supervised release by 1) failing to comply with his recommended treatment and having his treatment

services contract inactivated; 2) using marijuana on May 25, 2017, and June 28, 2017; 3) consuming alcohol on May 30, 2017, June 15, 2017, and June 28, 2017; 4) failing to report contact with law enforcement to his probation officer; (5) failing to contact his probation officer as directed following his release from Tribal custody; and (6) failing to fully pay the special assessment fee. *Id.* Alexander denied that he failed to update his violent offender registry. *Id.* The United States did not put on evidence regarding this allegation. *Id.*

Judge Johnston has recommended that the Court revoke Alexander's supervised release. *Id.* at 7. Further, Judge Johnston has recommended Alexander should be sentenced to three months of incarceration, followed by no supervised release. *Id.* The Court finds no clear error in Judge Johnston's Findings and Recommendations. Alexander's violations of his conditions represent a serious breach of the Court's trust. A sentence of three months incarceration, followed by no supervised release, represents a sufficient, but not greater than necessary sentence.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 83) is **ADOPTED IN FULL**.

**IT IS FURTHER ORDERED** that Defendant Nelson Travis Alexander be sentenced to three months incarceration, followed by no supervised release.

DATED this 11th day of October, 2017.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Brian Morris  
United States District Court Judge